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at all if he kills his own wife—a rare occurrence—for he would have to pay it to himself.[1]

Legal Responsibility for Act of Homicide committed by a Woman

[672] A man is responsible for his wife's actions if she is legally married to him, even if only part of the bridewealth has gone to her family. If she kills someone, it is he and not her family who will pay compensation. A woman who is recognized as *keagh* (unmarried concubine) is in a different category, and a man is not responsible for her actions even while she is living as his concubine. Not he, but her family, will be called upon for compensation if she kills someone.[2]

5. PEACE CEREMONIES: COMPOSITION ON A TRIBAL SCALE

•728 The laws of homicide described in the previous sections concern feuds (*ter*) which take place between the segments of a tribe. Tribal boundaries were not in the past so clearly defined as to preclude payment of compensation between sections of one tribe and sections of another, but a whole tribe would rarely unite to demand compensation for one of their number killed by a member of another tribe. When two tribes had been at war for a long time and there had been many casualties on both sides, both might decide to make peace; according to tradition there was a specific ceremony by which peaceful relations could be restored, and this again was performed by a Leopard-Skin Chief. After preliminary negotiations, usually initiated by some prominent leader in one tribe, representatives of both parties met at a chosen spot. A bull, always a hornless bull (*cot*), was sacrificed, and the Leopard-Skin Chief invoked the spear names and ancestral spirits of both sides, calling upon them to maintain peace between their peoples and to avoid disruption by endless warfare. He cried out, 'He who reopens this quarrel will cause his people to die and scatter like the hairs of the head of this bull', and then shaved the hairs of its head, scattering them in the wind.

We are here approaching an obviously difficult distinction between the feud and warfare on a wider scale. It seems to me unlikely that the ceremony was often performed in the past, but the details of procedure have been described to me on many occasions. It is not a ceremony normally performed between segments of a tribe, though there was one occasion quoted in Gaawar when Liab Liou, the leader

[1] I have known instances. In each case no compensation was awarded, though the culprit was expected to pay a cow or two as an act of appeasement to his wife's family and as part of the process of ritual expiation. The courts were always reluctant to impose a sentence of imprisonment. The culprit had already 'punished himself'.

[2] The question of the legality of the marriage is relevant here. See under 'Legality of Marriage', Chapter III, p. 124.

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(*ruic*) of the Bar primary segment, called upon the whole tribe, the Radh section included, to unite once more. This was after the separation of the two primary segments of the tribe and when there was a marked deterioration in tribal cohesion, but before the tribe was finally split by the raids of Arab slavers and the treacherous alliance of some of the Radh with the intruders.

6. CONCLUSIONS

Traditional Concepts and Action in the Past

We have seen that the laws relating to homicide among the Nuer are directed towards the maintenance of an equilibrium, and that in Nuer society this equilibrium is expressed in the balanced opposition of the segments of a tribe. Theoretically compensation should be the same whatever the circumstances of the killing and whatever the intention of the killer. These principles still largely apply, but in the past the main objective of restitution in the form of payment was achieved only with difficulty because, whatever the sanctions which exerted pressure on the aggrieved people to accept and whatever their actual feelings, convention demanded that they should accept only after a great display of hostility and reluctance. Moreover the degree of reluctance was genuinely affected by the actual circumstances of the incident. Some, but not all, Nuer tribes distinguished between intentional and unintentional homicide in assessing compensation. Compensation for intentional homicide was usually at least double that for accidental killing. The difference in the weapon used was also a qualification among some Nuer tribes, though it seems probable that they merely considered use of the fighting-spear an indication of intention. In contrast, reactions to homicide achieved by means which the Nuer consider unfair and therefore a greater wrong did not find expression in an increased rate of compensation. Unconfessed homicide was regarded by some Nuer tribes as a much more serious offence, and although this is a theoretical concept and without recorded examples, Nuer say that double the full rate of bloodwealth was necessary before settlement could be achieved. In this case, however, it was not so much an assessment of the quality of the homicidal act as a reaction to an offence committed by the killer afterwards, for he had, by concealing the deed, endangered the whole community including both factions. Nuer believe that the killer enters into a condition of ritual impurity which must be neutralized by the operations of the Leopard-Skin Chief if the community is not to share in that condition. An act of homicide therefore creates a state of grave danger. Actual danger springs from a state of feud, for there is always the likelihood of retaliation and further violence. Spiritual danger arises from the contamination of a man who has